

U.S. Patent Application Serial No. 10/765,914
Response filed November 7, 2005
Reply to OA dated August 10, 2005

REMARKS

Claims 1, 2 and 5 have been canceled without prejudice or disclaimer. Claims 3, 4 and 6 are currently pending in this patent application.

Claims 3 and 6 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. It is believed that this Amendment is fully responsive to the Office Action dated August 10, 2005.

In the outstanding Action, the Examiner maintains his reliance on the so-called “applicant[s]” admitted prior art (AAPA)” in view of Oinoue (U.S. Patent No. 2002-0031231) in rejecting claims 1 - 6 under 35 USC 103(a). The applicants respectfully request reconsideration of this rejection.

As indicated above, claims 1, 2 and 5 have been canceled without prejudice or disclaimer. Thus, the outstanding rejection of these claims is now moot.

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The applicants' claimed invention, as now recited in independent claim 3, is directed to an audio mixing circuit, which includes an equalizer; a fader operably coupled and cascaded to the equalizer; a distance filter operably coupled and cascaded to the fader; and a pan circuit operably coupled and cascaded to the distance filter. As now set forth in independent claim 3, the distance filter comprises a variable attenuator and a low-pass filter, and operates said variable attenuator and said low-pass filter, in a correlated manner such that: (a) a cutoff frequency of the low-pass filter is lowered as an amount of attenuation of an audio signal is increased in an entire audio-frequency band, and (b) the cutoff frequency of the low-pass filter is raised when the amount of attenuation of an audio signal is lowered in an entire audio-frequency band.

Significant claimed structural arrangements of the applicants' claimed audio mixing circuit, as now set forth in independent claim 3, includes the claimed distance filter having a variable attenuator and a low-pass filter, and operating the variable attenuator and the low-pass filter, in a correlated manner such that: (a) a cutoff frequency of the low-pass filter is lowered as an amount of attenuation of an audio signal is increased in an entire audio-frequency band, and (b) the cutoff frequency of the low-pass filter is raised when the amount of attenuation of an audio signal is lowered in an entire audio-frequency band.

In other words, the applicants' claimed audio mixing circuit includes, among the other claimed elements, the claimed distance filter adapted to change two parameters in a correlated

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manner, which two parameters are: (1) an audio signal level of an input audio signal in an entire audio-frequency band, and (2) an audio signal level of a high-audio-frequency component extracted from the input audio signal.

More particularly, one exemplary embodiment of the applicants' distance filter comprises a variable attenuator and a low-pass filter of which a cutoff frequency can be varied, and the above "correlated manner" in which the distance filter can be operated is such that a cutoff frequency of the low-pass filter is lowered as an amount of attenuation of an audio signal is increased in an entire audio-frequency band; and the cutoff frequency of the low-pass filter is raised when the amount of attenuation of an audio signal is lowered in an entire audio-frequency band.

The applicants submit that neither the AAPA or Oinoue suggests, expressed or implied, the above-discussed distinguishable claimed structural arrangements, as now recited in independent claim 3. Thus, even if, *arguendo*, the teachings of the AAPA and Oinoue can be combined in the manner suggested by the Examiner, such combined teachings would still fall far short in fully meeting the applicants' claimed invention, as now set forth in independent claim 3. As such, a person of ordinary skill in the art would not have found the applicants' claimed invention, as now set forth in amended claim 3, obvious under 35 USC 103(a) based on the AAPA and Oinoue, singly or in combination.

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Furthermore, claims 4 and 6 depend on independent claim 3, and further limit the scope of claim 3. Thus, at least for the reasons set forth above with respect to amended claim 3, claims 4 and 6 should now be similarly allowable.

Accordingly, the withdrawal of the outstanding obviousness rejection under 35 USC 103(a) based on the so-called “applicant[s’] admitted prior art (AAPA)” in view of Oinoue (U.S. Patent No. 2002-0031231) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants’ undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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